

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	11-cr-989 (JSR)
-v-	:	
	:	<u>ORDER</u>
WALTER GARCIA,	:	
	:	
Defendant.	:	
	:	
-----X		

JED S. RAKOFF, U.S.D.J.:

On December 1, 2023, Walter Garcia, having already received a substantial reduction in his sentence, moved for a third time for a further sentence reduction under 18 U.S.C. § 3582(c)(1)(A). ECF No. 99. The Court denied the motion on December 4, 2023, for two independent reasons: Garcia did not show that extraordinary and compelling reasons warranted a reduction in his sentence, and the sentencing factors under 18 U.S.C. § 3553(a) continued to support Garcia's already-reduced sentence of 240 months' imprisonment. ECF No. 100. On April 23, 2024, Garcia sent a letter to the Court seeking reconsideration of the Court's December 4, 2023 denial order. ECF No. 104.

Garcia's only argument in the motion for reconsideration is that his sentence is unjust because of his advanced age, now 74. But the Court specifically considered this argument in the December 4, 2023 denial order. ECF No. 100, at 2 ("Garcia states that his health is deteriorating because of his advanced age of 73. But he

provides no explanation or details of how that is so, making it difficult for the Court to evaluate the claim, either alone or in combination with Garcia's other arguments."). Accordingly, the Court hereby denies the motion for reconsideration because Garcia has not identified any "controlling decisions or data that the [C]ourt overlooked." Shrader v. CSX Transp., Inc., 70 F.3d 255, 257 (2d Cir. 1995). The Clerk is respectfully directed to close document 104 on the docket of this case.

SO ORDERED.

Dated: New York, NY
April 26, 2024


JED E. RAKOFF, U.S.D.J.